



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
REGION 5
77 WEST JACKSON BOULEVARD
CHICAGO, IL 60604-3590

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MAR 25 2003

REPLY TO THE ATTENTION OF

S-6J

Mr. Jim Sygo, Chief
Remediation and Redevelopment Division
Michigan Department of Environmental Quality
Knapp's Centre
P.O. Box 30426
Lansing, Michigan 48909

Re: MDEQ Position Regarding Dismantling of Michigan-Owned Dams as
Part of the Remedial Action for the Kalamazoo River Operable Unit of the
Allied Paper/Portage Creek/Kalamazoo River Superfund Site

Dear Mr. Sygo:

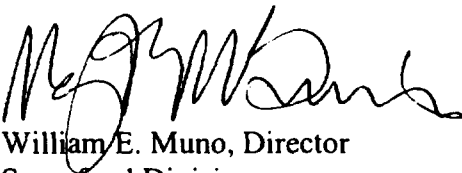
Thank you for your letter dated December 13, 2002, which communicates the position of the Michigan Department of Environmental Quality (MDEQ) regarding the appropriate disposition of the Plainwell, Otsego and Trowbridge dams in the remedy selection for the Kalamazoo River. These three dams are owned by the State of Michigan and comprise part of the Allied Paper/Portage Creek/Kalamazoo River Superfund Site (the Site). Other dams located at the Site are owned by the cities of Otsego and Allegan. The United States Environmental Protection Agency (U.S. EPA) has been aware for some time that the State of Michigan strongly prefers that any remedy selected for the Kalamazoo River include dam removal as an integral component.

I want to assure you that U.S. EPA has included both your letter and an earlier letter from the Michigan Department of Natural Resources on the same matter in the federal Administrative Record for the Site. I want to assure you further that U.S. EPA will certainly consider the position of the State of Michigan regarding appropriate disposition of these dams during all stages of remedy selection for the Kalamazoo River. As you may know, U.S. EPA is currently drafting a Remedial Investigation/Feasibility Study (RI/FS) for the first two reaches of the Kalamazoo River. I have specifically requested that the FS for these two reaches include an alternative that would require dismantling of the Plainwell and Otsego City dams, and excavation and/or dredging of river sediments and floodplain soils that would be affected by dam removal. The FS will evaluate the degree of protectiveness of human health and the environment that could be achieved as a result of the dams' dismantling, the costs associated with such a course of action, and all other factors that the Agency must consider under the National Oil and Hazardous Substances Pollution Contingency Plan. As you know, one of these factors requires federal consideration of the State's position and key concerns about any preferred alternative (40 C.F.R. § 300.430(e)(9)(iii)(H)).

Until the FS is complete, U.S. EPA is not in a position to opine on what alternative will ultimately prove the most appropriate for the Kalamazoo River. It may well be that an alternative that is appropriate for one reach of the River is inappropriate, under the NCP's criteria, for another reach. Frankly, the State's position that it "will not support selection of any alternative that requires these dams to remain" seems a bit premature, since neither MDEQ nor Region 5 has yet had the chance to review and evaluate a complete alternative array. I hope that as time goes on, MDEQ will keep an open mind about the range of possibilities on the River.

In closing, I want to express my sincere hope that all of the state and federal agencies with a stake in the selected remedy for this River will continue to work together to ensure that an appropriate remedy is selected for the Kalamazoo, and that cleanup can occur in a timely fashion. The citizens of Michigan deserve no less. If you have any additional questions or concerns regarding the Site, please feel free to contact either myself or Shari Kolak, the Remedial Project Manager at (312) 886-6151.

Sincerely yours,


for William E. Muno, Director
Superfund Division

cc: Ms. Jo Lynn Traub, EPA
Mr. Gary Gulezian, EPA
Ms. Eileen Furey, EPA
Ms. Bonnie Eleder, EPA
Dr. Lisa Williams, United States Fish and Wildlife Service
Mr. Todd Goeks, National Oceanic Atmospheric Administration
Mr. Robert Beck, Kalamazoo River Watershed Council
Mr. Dayle Harrison, Kalamazoo River Protection Association
Mr. Sam Washington, Michigan United Conservation Club
Mr. Matthew Doss, Great Lakes Commission
Mr. Neil Gordon, Michigan Department of Attorney General
Ms. Sharon Hanshue, MDNR
Mr. Harold Fitch, MDEQ
Mr. Richard Powers, MDEQ
Mr. David Ladd, MDEQ
Mr. Andrew W. Hogarth, MDEQ
Ms. Elizabeth Browne, MDEQ